

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CASE NO. DNCW5:03CR49
)	(Financial Litigation Unit)
SHERRY SENTER SULLIVAN,)	
a.k.a. Sherry Turgeon,)	
Defendant,)	
)	
and)	
)	
SCOTT FISHER ENTERPRISES LLC,)	
d.b.a. MOTORSPORTS OF HICKORY LLC,)	
Garnishee.)	

ORDER OF CONTINUING GARNISHMENT

THIS MATTER is before the Court on the Answer of Garnishee, Scott Fisher Enterprises, LLC, d.b.a. Motorsports Of Hickory LLC. On August 10, 2004, the Honorable Richard L. Voorhees sentenced Defendant to five years probation for her conviction of Mail Fraud in violation of 18 U.S.C. § 1341. Judgment in the criminal case was filed on October 5, 2004 (Docket No. 14). As part of that Judgment, Defendant was ordered to pay an assessment of \$100 and restitution of \$1,776,884.40 to the victims of the crime. Id.

On January 15, 2013, the Court entered a Writ of Continuing Garnishment ("Writ") (Docket No. 25) to Garnishee¹, Scott Fisher Enterprises, LLC, d.b.a. Motorsports Of Hickory LLC ("Garnishee"). The United States is entitled to a wage garnishment of up to 25% of net income and has satisfied the prerequisites set forth in 15 U.S.C. § 1673. Garnishee was served with the Writ on January 18, 2013. Defendant was served with the Writ on January 22, 2013. Garnishee filed an

¹ Garnishee was incorrectly identified in the Writ of Continuing Garnishment simply as Motorsports of Hickory LLC.

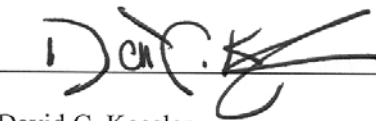
Answer on February 8, 2013 (Docket No. 28) stating that at the time of the service of the Writ, Garnishee had in their custody, control or possession property or funds owned by Defendant, including non-exempt disposable earnings.

IT IS THEREFORE ORDERED that an Order of Continuing Garnishment is hereby ENTERED in the amount of \$1,769,185.36 computed through January 10, 2013. Garnishee will pay the United States 25% of Defendant's net earnings which remain after all deductions required by law have been withheld, and 25% of all 1099 payments, and Garnishee will continue said payments until the debt to the Plaintiff is paid in full, or until Garnishee no longer has custody, possession or control of any property belonging to Defendant, or until further order of this Court.

Payments should be made payable to the United States Clerk of Court and mailed to the Clerk of the United States District Court, 401 West Trade Street, Charlotte, NC 28202. In order to ensure that each payment is credited properly, the following should be included on each check: Court Number DNCW5:03CR49.

Plaintiff will submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program any federal payment Defendant would normally receive may be offset and applied to this debt.

Signed: March 15, 2013



David C. Keesler
United States Magistrate Judge

